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Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PCT-KB-56	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/JP00/03794	International filing date (day/month/year) 09 June 2000 (09.06.00)	Priority date (day/month/year) 10 June 1999 (10.06.99)
International Patent Classification (IPC) or national classification and IPC A61K 7/13		
Applicant KANEBO, LIMITED		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of _____ sheets.</p>	
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>	

Date of submission of the demand 11 August 2000 (11.08.00)	Date of completion of this report 23 May 2001 (23.05.2001)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP00/03794

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☐ the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the claims:
 pages _____, as originally filed
 pages _____, as amended (together with any statement under Article 19
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the drawings:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/JP 00/03794**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims	2	YES
	Claims	1	NO
Inventive step (IS)	Claims		YES
	Claims	1-2	NO
Industrial applicability (IA)	Claims	1-2	YES
	Claims		NO

2. Citations and explanations

Documents

Document 1: JP, 5356438, A (Pacific Corporation), 18 October 1994 (18.10.94)

Document 2: US, 5845653, A (Tracy H. Abercrombie), 8 December 1998 (08.12.98)

Document 3: EP, 257807, A (Unilever plc), 2 March 1988 (02.03.88)

Document 4: JP, 61-22007, A (Kanebo, Ltd.), 30 January 1986 (30.01.86)

Document 5: JP, 61-53211, A (Kanebo, Ltd.), 17 March 1986 (17.03.86)

Document 6: JP, 62-164613, A (Kanebo, Ltd.), 21 July 1987 (21.07.87)

Explanation

Document 1 discloses a hair colouring composition containing an acidic dye, a halogenated fluorescein dye and disodium dimethicone copolyol sulphosuccinate, and in column 6, lines 8-14, describes application of the composition to wet hair after shampooing as an example of the method for normal use in the case of semi-long hair. Document 2 discloses an applicator for dyeing hair, and in column 8, lines 57-67, discloses application to damp hair as the method for using the same. Document 3 discloses a

composition containing an anionic dye for treating keratin fibres, and in column 9, lines 39-43, describes application of the composition to damp hair. Therefore application of an acidic dye to hair in the wetted state is disclosed in these documents.

Acidic hair dyes with a pH in the range 2.0-4.5, containing an acidic dye and water, and dyeing aids containing at least n-butanol or an aromatic alcohol represented by general formula (1) as described in the description of this application are known, as disclosed in Documents 4-6, and therefore the application of such hair dyes to hair by a method disclosed in Document 1-3 does not require special inventive skill of a person skilled in the art.